

**Mississippi Secretary of State**  
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME MS State Department of Health		CONTACT PERSON Mitchell Adcock	TELEPHONE NUMBER 601-576-7847	
ADDRESS PO Box 1700		CITY Jackson	STATE MS	ZIP 39211-1700
EMAIL ingrid.williams@msdh.ms.gov	SUBMIT DATE 8/17/16	Name or number of rule(s): MINIMUM STANDARDS OF OPERATION FOR AMBULATORY SURGICAL FACILITIES – CHAPTER 42		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: 42.4.2 – Complies with 2016 House Bill No. 289, Chapter 511. Strikes specific licensure fee and allows the Mississippi State Board of Health to set licensure fees. Requires renewal on an annual basis; fees are non-refundable.

42.4.3 – Changes "Heading Title" to Annual Reports and Posting of License. Strikes specific renewal fee; requires submission of an annual report; licenses are issued only for premises and person names in the application and are not transferable or assignable. License must be posted in a conspicuous place on the premises.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §41-75-13

List all rules repealed, amended, or suspended by the proposed rule: Rule(s): 42.4.2, 42.4.3

**ORAL PROCEEDING:**

☒ An oral proceeding is scheduled for this rule on

Date: 9/12/2016 Time: 9:45 a.m.

Place: Osborne Auditorium, 570 East Woodrow Wilson, Jackson, MS

☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**


☒ Economic impact statement not required for this rule.

☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<u>      </u> Original filing <u>      </u> Renewal of effectiveness To be in effect in <u>      </u> days Effective date: <u>      </u> Immediately upon filing <u>      </u> Other (specify): <u>      </u>	Action proposed: <u>      </u> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <u>      </u> Repeal of existing rule(s) <u>      </u> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <u>      </u> Other (specify): <u>      </u>	Date Proposed Rule Filed: <u>      </u> Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text <u>      </u> Adopted with changes <u>      </u> Adopted by reference <u>      </u> Withdrawn <u>      </u> Repeal adopted as proposed Effective date: <u>      </u> 30 days after filing <u>      </u> Other (specify): <u>      </u>

Printed name and Title of person authorized to file rules: Mitchell Adcock, Chief Administrative Officer

Signature of person authorized to file rules: Mitchell Adcock by [Signature]

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 150px; width: 100%;"></div>		<div style="border: 1px solid black; height: 150px; width: 100%;"></div>
Accepted for filing by	Accepted for filing by <u># 22188 [Signature]</u>	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached